

August 23, 2023

Sent via email to: hunter.ridley@state.co.us

Hunter Ridley, Environmental Protection Specialist
Minerals Regulatory Program
Colorado Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Kagie Gravel Pit, File No. M-1979-102
Response to Technical Revision (TR-3), Adequacy Review #2

Dear Hunter:

On behalf of West Fish Creek Ranch, LLC, please see the responses, provided below in blue text, to the items identified on the Technical Revision (TR-3), Adequacy Review #2 dated 8/21/2023.

1) Please clarify what the use of the sediment pond is to be in final reclamation. Is it expected that the pond will still function as a sediment pond in final reclamation or will it be left for another use?

Response: Yes, the pond will remain as a vegetated sediment trap for stormwater management after final reclamation. The extraction site will be graded to direct stormwater runoff from the upper bench towards the sediment pond/trap.

2) The Division has identified an area included in the original permit boundary which has been omitted as part of the proposed boundary adjustment in TR3. This area is approximated to be about 0.60 acres (Google Earth measurement imagery attached). While it is understood that this permit as well as adjoining areas outside the permit boundary have been mined under pre-law conditions, google earth imagery (attached) suggests that this southern, 0.60 acre area has been disturbed since formal permitting of the site in 1979. This area is included within the original permit boundary and therefore no violations for mining outside of the permit boundary have occurred. However, while this area looks to be visibly re-vegetated, the Division still would need to formally release any areas disturbed by permitted mining operations before it can be removed from the permit boundary. Please provide clarification on the history of this southern area. If the

Division of Reclamation, Mining and Safety
August 23, 2023
Page 2

area has been disturbed since 1979, please include this 0.60 acres within the proposed permit boundary.

Response: The proposed new boundary has been updated to include the previously disturbed area in the SE portion of the upper bench. Revised Mining and Reclamation Plan Maps are attached reflecting this change.

Sincerely,

HOLSINGER LAW, LLC

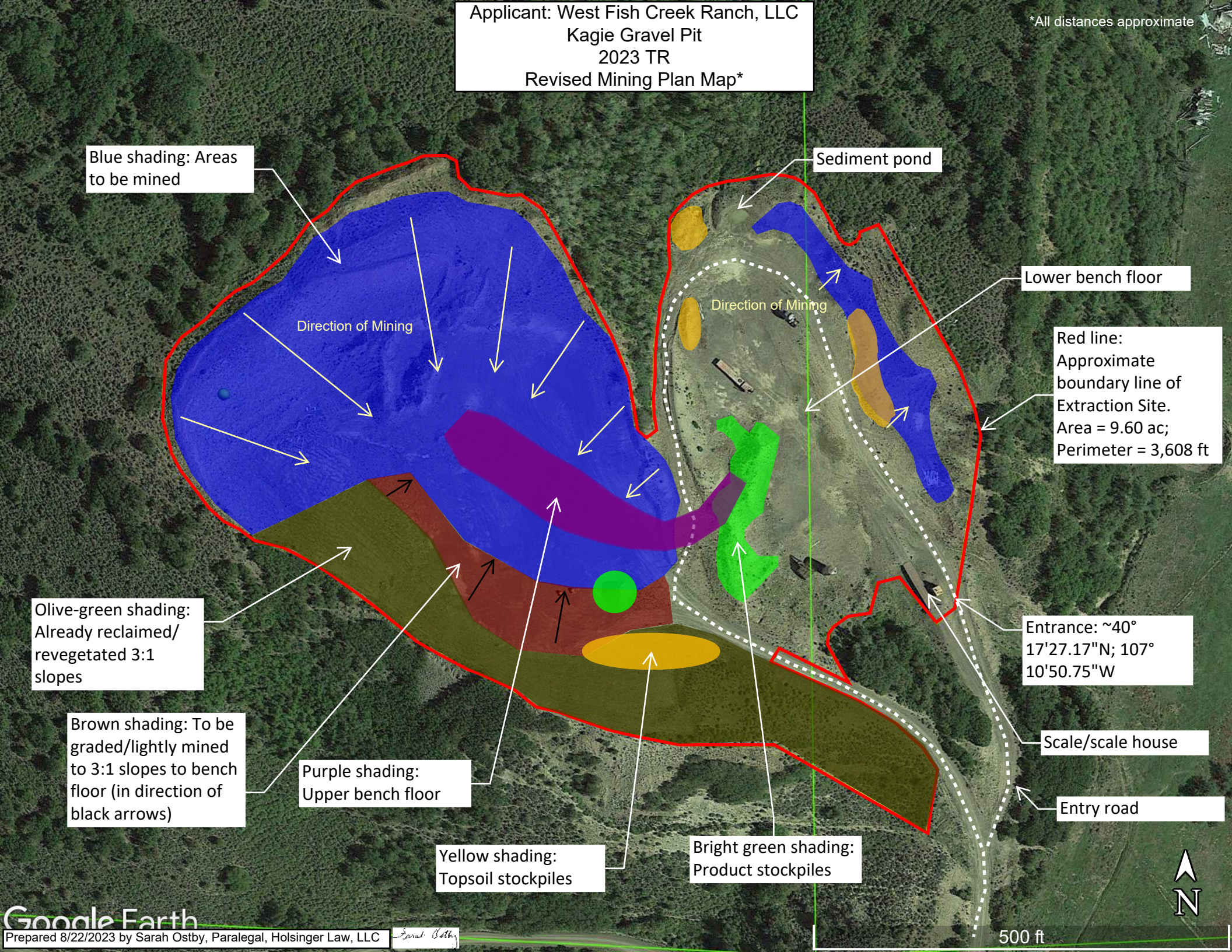
A handwritten signature in black ink that reads "Sarah Ostby". The signature is fluid and cursive, with the first name "Sarah" and last name "Ostby" clearly distinguishable.

Sarah Ostby, *Paralegal*

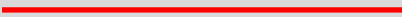
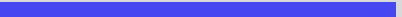








cc: Tony Waldron
Randy Foster, Manager of West Fish Creek Ranch, LLC
Kent Holsinger

Applicant: West Fish Creek Ranch, LLC
Kagie Gravel Pit
2023 TR
Revised Mining Plan Map*

*All distances approximate



Mining Plan Map Legend:

	Boundary of Proposed Extraction Site
	Areas to be mined
	Areas to be graded/lightly mined to 3:1 slopes down to bench floor
	Already reclaimed/revegetated 3:1 slopes
	Upper bench floor
	Product stockpiles
	Topsoil stockpiles
	Direction of mining in areas to be mined
	Direction of mining in areas to be graded/lightly mined to 3:1 slopes from top of slope down to bench floor
	Entry road

Sarah Ostby

Applicant: West Fish Creek Ranch, LLC
Kagie Gravel Pit
2023 TR
Revised Reclamation Plan Map*

*All distances approximate

Purple shading:
Upper bench floor to
be topsoiled and
revegetated;
drainage directed to
lower bench/
sediment pond

Turquoise shading:
Slopes to be graded
to 3H:1V or flatter,
topsoiled,
revegetated

Sediment pond

Bright green shading:
Product stockpiles

Brown shading: Lower
bench floor will not
be reclaimed (no
topsoiling,
revegetation). will be
graveled and used for
equipment and hay
storage.

Red line:
Approximate
boundary line of
Extraction Site.
Area = 9.60 ac;
Perimeter = 3,608 ft

Olive-green shading:
Already reclaimed/
revegetated 3:1
slopes

Entrance: ~40°
17'27.17"N; 107°
10'50.75"W

Scale/scale house

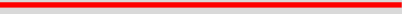


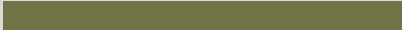



Entry road

Reclamation Plan:
Reclamation will consist of regrading all slopes on both the upper and lower benches to 3H:1V or flatter. On the upper bench, once mining is completed, slopes will be re-graded, and all available topsoil will be replaced on the slopes and un-reclaimed pit floor. The topsoil will be conditioned by minimal discing, chiseling or use of a drag harrow. Seeding will then occur using a rangeland seed drill where it is level enough and by broadcast seeding followed by harrowing in steeper areas. On the lower bench the operator is requesting a modification to the reclamation plan. That change is to leave the scale house and scale along with leaving the pit floor level and graveled. All other extraneous equipment and junk will be removed prior to completing reclamation. The level floor will be used to store farm and ranch equipment as well as being used as a stackyard for hay storage. Due to this requested change, only the side slopes will be regraded, topsoiled, conditioned, and seeded on the lower bench. The owner also wishes for the access roads to remain along with the sediment basin and also reserves the right to retain some product stockpiles on the lower bench for private use on ranch.

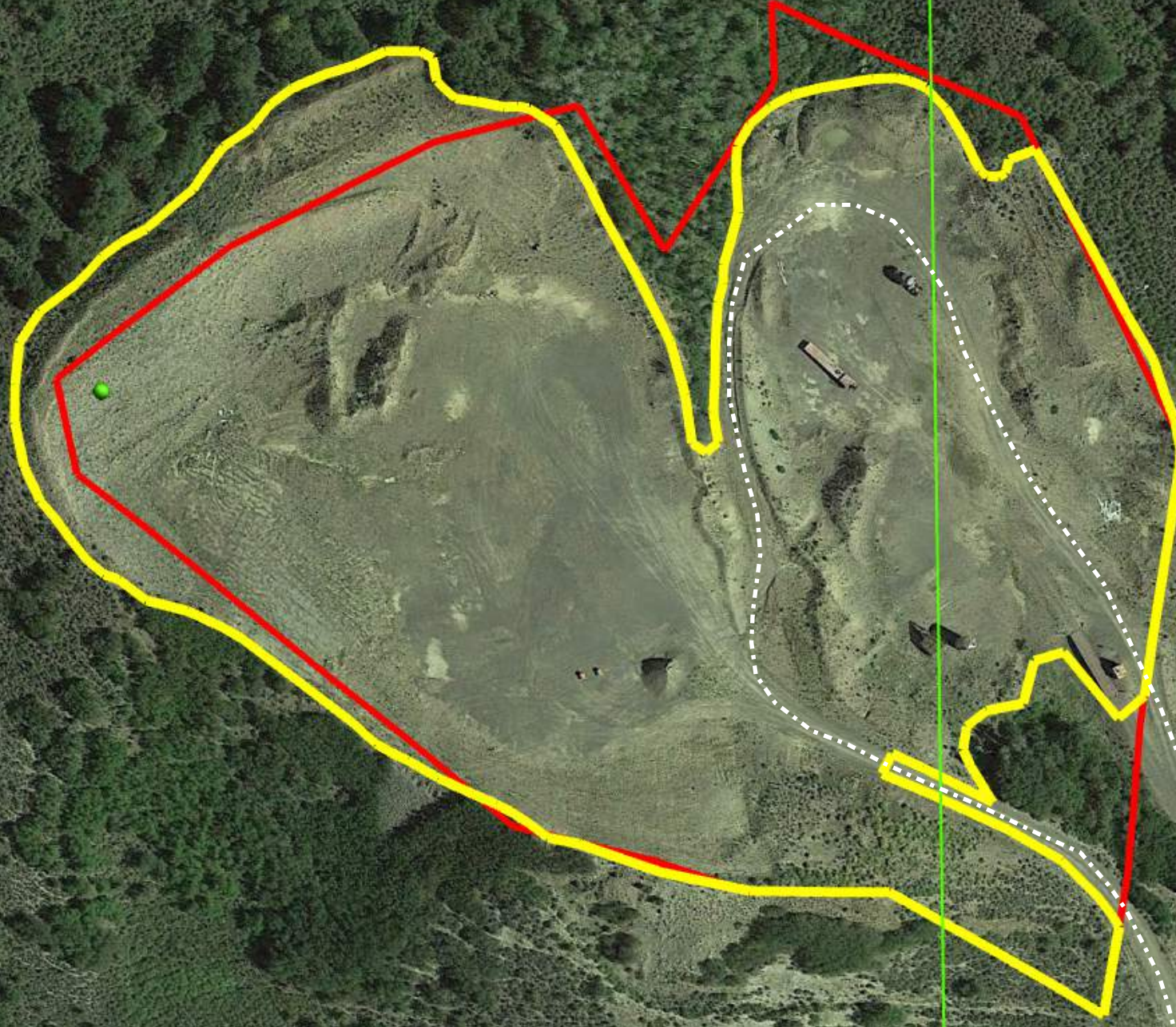


500 ft

Reclamation Plan Map Legend:

	Boundary of Proposed Extraction Site
	Slopes to be graded to 3H:1V or flatter, topsoiled, revegetated
	Upper bench floor to be topsoiled and revegetated; drainage directed to lower bench/sediment pond
	Already reclaimed/revegetated 3:1 slopes
	Lower bench floor will not be reclaimed (no topsoiling, revegetation), will be graveled and used for equipment and hay storage
	Product stockpiles will remain on-site post-reclamation until used fully, after which area will be graded/leveled to blend into slope/bench floor
	Entry road

Kagie Gravel Pit
2023 TR
Proposed Boundary Line Adjustment



Entry road

Red line: Previous boundary (approximate) (Area = 9.59 ac)
Yellow line: Revised boundary (Area = 9.60 ac)